

The Village of Northfield

REGULAR COUNCIL MEETING

February 11, 2015

The meeting was called to order by Mayor, Jesse J. Nehez at 7:30 p.m.

PLEDGE OF ALLEGIANCE was recited.

Mayor Nehez announced that there are to be no cell phones in use during these meetings and it has been a rule since Mayor Milani.

ROLL CALL was read by Lisa M. Rodriguez, Clerk of Council. The following were present: Mayor Nehez, Beatrice Greenlee, Linda Bowen, Nicholas Magistrelli, Gary Vojtush, Alan E. Hipps and Ethan Miladinovic. In addition, Law Director, Brad Bryan, Village Engineer Richard Wasosky, Police Chief Mark Wentz, Service and Building & Zoning Superintendent Jason Walters and Finance Director Timothy Clymer were in attendance. Fire Chief Jason Buss was not in attendance.

APPROVAL OF MINUTES:

Mayor Nehez asked for approval of the minutes for the Council meeting of January 28, 2015. A motion for passage was made by Linda Bowen and seconded by Beatrice Greenlee, carried with 5 ayes and 1 abstain from Ethan Miladinovic.

Clerk of Council, Lisa Rodriguez at this time gave a special thank you to News Leader Executive Editor, Erica Peterson, Editor Eric Marotta and reporter Briana Barker with their help on lending her their audio of the January 28th council meeting due to an electronic mishap with her recorder. She said without their kindness and help she wouldn't have been able to complete the minutes.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES:

Resident of Victory, Phil Kneziak thanked Jason Walters, Chris While and all of the employees in all of his departments for the great job keeping the streets clean, they are doing an excellent job. He spoke with police officer Andrew Dziak and said how polite and nice he was. Phil asked who is to take care of shoveling out the fire hydrants. Mayor Nehez stated that fire department. Phil stated that he did all of the hydrants on Houghton. Mayor stated he would let Chief Jason Buss aware of this.

Resident Jack Morgan, stated that the road crews are doing a great job. Jack said that he is all for the seniors getting their trash picked up and paid for by the Village but asked where the money is coming from. Tim Clymer, Finance Director said that it will come out of the general fund budget.

REPORTS OF MUNICIPAL OFFICERS:

A. MAYOR JESSE J. NEHEZ had no report.

B. FINANCE DIRECTOR TIM CLYMER had no report.

C. ENGINEER RICHARD WASOSKY read his report. Nick Magistrelli asked Rich about a delayed signal, green going northbound first on Route 8 at Sagamore. Rich said it is physically possible, but doing that causes a less effective signal and the rating would drop to b or c and the state most likely would reject this. Rich said eventually you will see five lanes there.

Alan said that they would have to add the arrow there any how at Route 8 & Sagamore Rd. even if they did soft timing of the light because it would be green. Rich said you would split the phasing and a green arrow would not be needed.

Rich stated that on Ledge Rd. from the edge/shoulder to about 3' to 5' into the road, it is deteriorating extremely badly. Part is the weather, there is no under drain, but the main problem is the truck traffic. Ethan Miladinovic asked what the start time was for the transformer move on Tuesday. Rich stated 9am. Ethan asked if the weather would postpone it. Rich said he hopes it all freezes, that would be better. Gary Vojtush asked if the logistics were already discussed with the businesses on Freeway Dr. Brad stated that this transformer is coming off of the railroad.

Gary Vojtush asked Rich what the approximate size of how far into peoples driveways we will be cutting out for the Cranbrook project. Rich said to the right of way line, which is 25' off, for the driveway. Rich said they will not be cutting the grass back off of the curb about 4' back. Rich said doing complete driveways, the apron's will cost about \$100,000. Gary asked if there was anything that the Village could do to let residents know if they want to replace their driveways at the same time as the project. Rich said that is a deal between the resident and the contractor. Rich said on all of the other projects the residents go to himself, Jason or the contractor for a price. We tell the contractor that beyond the apron is between the resident and the contractor and the Village is out of it. Gary stated it is more cost effective, and Rich agreed, they would receive a cheaper price.

D. LAW DIRECTOR BRADRIC BRYAN had no report.

E. DEPARTMENT HEADS:

1. Police Department, Chief Mark Wentz had no report. Chief Wentz stated he met with Mayor about 2015 personnel projections. Mark said he received many compliments on the get away horse situation and how the officers handled it, along with Macedonia police.

2. Fire Department, Fire Chief Jason Buss was not present.

3. Service/Building Supervisor, Jason Walters, read his report. Ordinance states that property owners should keep their sidewalk free of sidewalk of snow and ice. There are some towns that don't touch their sidewalks and others that plow theirs.

Jason said that Mayor Nehez did purchase a snow blower and donated it to the Village for the service department to use on their sidewalks, in front of Ledge Rd. building. Nick Magistrelli stated as a homeowner he takes care of his sidewalk, and others around the block. Nick stated that businesses do clean the walkway in front of their doorways to enter, so why can't they clean their sidewalks and be responsible. Jason stated that we do send letters each year, but we don't follow up with citations. Jason said they will do what Council wants, it is just if they want to start this process.

Nick stated that if each business took care of the sidewalk it would work, 50ft and their doorway. Jason stated that Rte 8 sidewalks are different when the plows come down the road. He said if they are going to do this, the sidewalks are a never ending job, but if Council wants to go at it, then we will. He said again, the snow plowing on Rte 8 is slush, ice and snow in big amounts. Gary Vojtush stated that the people who come in for the contractors license for snow, can we make them know that they have to do the sidewalk also.

Jason and Brad stated we cannot make the snow plow contractors plow someone else's property. Gary said he would like to just make them aware. Jason said it would be a daily project, and how often do you clean it. Gary said they could be out there all day long. Alan Hipps stated that he drives Rte8 every day to work and there is not one sidewalk cleared the whole way. Alan stated that they plow the parking lots but not the sidewalks.

Jason said the only remedy to make sure the sidewalks are done, it would be for the service department to do. Once in the morning and once in the afternoon. Ethan Miladinovic stated if it snows heavily that is a full time job. Mayor Nehez stated they would clean sidewalks all day long. Jason said he just wanted to make sure that it was addressed since Bob and Sue Lanese had asked about this issue. Nick stated that Lanese's are talking about the bus stop.

Jason stated that Lisa Rodriguez did the homework on a community shredder. He stated that Info Store Records has the best price. Beatrice Greenlee asked if May 16th & 23rd were open with the company. Lisa Rodriguez said that she is holding those dates for the Village until Council makes a decision. Jason stated \$300 for 1 day or \$600 for 2 days. Lisa said she can check the ID's on that date, the service guys can take the bags/boxes from the residents cars, and then put on the shred truck. Bea asked if we should do two dates. Jason suggested to do 1 date and if we see that we need more, then next year we can do 2 dates. Bea and Council decided on 1 date of Saturday, May 23rd for Community Shred Day. Mayor asked for it to be put into the newsletter. Lisa said she will put on Village website, facebook and on the Village board at town hall. She also said she will put together a flier with the Month of May cleanup & May 23rd Community Shred day. Alan Hipps made a motion to retain Info Store Records at the cost not to exceed \$300 on May 23, 2015 for 3 hours, was seconded by Nick Magistrelli, passed with 6 ayes.

Gary thanked Mayor Nehez for donating the snow blower. He said he came home one morning and that his wife saw one of the service department snow plow drivers for the seniors and she watched the employee moved the garbage can back after he plowed the drive. Gary said to Jason that they are going above and beyond and doing a great job.

REPORTS OF MUNICIPAL BOARDS AND COMMISSIONS:

A. PLANNING COMMISSION, ALAN E. HIPPS, had no report.

B. RECREATION BOARD, MAYOR NEHEZ, stated that they met to discuss the Village easter party and the finalization of the date of the party.

C. CEMETARY BOARD, BEATRICE GREENLEE, had no report but said they are going to be putting a new fence up.

REPORTS OF STANDING COMMITTEES:

FINANCE: LINDA BOWEN said that next Finance committee meeting will be February 25th at 6:30p.

ROADS/PUBLIC WORKS: ETHAN MILADINOVIC no report.

HEALTH AND WELFARE: GARY VOJTUSH had no report.

BUILDINGS & GROUNDS: ALAN HIPPS had no report.

WAGES AND WORKING CONDITIONS: NICHOLAS MAGISTRELLI Nick thanked service department and everyone who was involved with the union negotiations, they went smooth and professional, he thanked Jason Walters.

FIRE AND SAFETY: BEATRICE GREENLEE no report.

LEGISLATION:

Brad read Resolution 2015-02, 2nd reading, emergency Resolution authorizing the Mayor to amend the rubbish collection contract with Rumpke of Ohio. Linda Bowen asked for a motion to suspend the three-reading rule and was seconded by Alan Hipps with 6 ayes. A motion for passage was made by Linda Bowen and seconded by Alan Hipps,

Gary Vojtush asked if there was anything that they could do a way to add the rest of the residents along with the seniors to help with paying for their trash. Ethan stated that they looked at that option in the work session, and they determined that there wasn't anything viable to make a considerable difference. Brad said not without spending \$200,000.00. Nick stated that it is the seniors that they are concentrating on for this.

Bea Greenlee asked Tim Clymer if this is alright financially ok. Tim said that they don't have the budget yet for this year. Brad stated that once it is passed. Tim said he will fit it in. It passed 6 aye votes.

Brad read Resolution 2015-04, 1st reading, emergency Resolution designating May 2015 as Home Improvement and Beautification month. A motion to suspend the three-reading rule was made by Beatrice Greenlee and seconded by Ethan Miladinovic, carried with 6 ayes. A motion for passage was made by Beatrice Greenlee and seconded by Alan Hipps, passed with 6 ayes.

OLD BUSINESS; Gary said with the tape recorder not working again could they continue to go forward on the system for the Council chambers. Mayor Nehez stated yes, and asked if they could get a couple quotes. Gary stated that Ethan has been working on that. Ethan said he is curious as to what they could budget for, so they don't start asking for things that won't fit. Ethan said he got quotes for material, and didn't include any labor, but he can look into that and find out. Alan asked if they could get a rough spec as to what they want to do. Ethan said yes, they are going to look at a split microphone and on the podium, and the table. We want it to record. Mayor Nehez stated that Macedonia has a microphone that comes out of the ceiling, and maybe we could go look at what they have. Lisa Rodriguez asked to make sure it creates an audio file, Ethan said yes and also said some speakers for the room.

Mayor Nehez said in light of the audit happening he wanted to state again and reiterate what the Law Director said, that he wished Gary would have went to the finance director first with the questions to understand where the budget is at. Mayor Nehez also stated that the audit had no findings for recovery, and anything is being fixed or is fixed. By the 28th all of the financial reports will be submitted to the state and the first week of the month Tim will be working on the budget and he would like to have everything together for Council for the first meeting. Mayor Nehez stated that he feels it is crazy, he wants to work together with everyone on the Council. He said that sometimes he feels that not everyone is working together and people have secret agendas. He said it is very evident at the last council meeting, that Nick Kostandaras was there and former Mayor also. Mayor Nehez said the things that were being said at that meeting, and then after they were said the former Mayor leaves, so he was there just for that purpose. Mayor said he has never in his life, hearing of a County Councilman come to a council meeting about another towns budget, he has never seen that before. He said that all he is saying is that people have secret agendas. He knows who is working with who, and he knows it is obvious. This council knew what was in the budget and they were trying to fix things, and then a councilman goes to the news on this.

Gary Vojtush said that he did not go to the news, the news went to him for questions. He said he did not go to anyone about this as he has stated before about this. Gary said that he feels an apology is warranted from the liable and slanderous comments that were made during the last Council meeting. He said he is going to push for that and shouldn't have to feel threatened every time he comes into this building. He said after here is at this building for 10 minutes, people in this building get a phone call asking what he is doing there he shouldn't get a phone call stating as to why he is there, from someone that wasn't even in the building, the police chief and asst.

**VILLAGE OF NORTHFIELD
ENGINEER'S REPORT – RICHARD S. WASOSKY, P.E., P.S.**

February 11, 2015

Subject: Cranbrook Drive Reconstruction

Comment: The contract for Cranbrook Drive was advertised for bids on January 28, 2015 and February 4, 2015 in the Akron Beacon Journal. The bid opening is set for 4:00 P.M. at the Village Hall on March 4, 2015. Jason Walters and Tim Clymer should attend the bid opening if possible.

The final plans were modified to add the EPA mandated water quality control device; to upsize the underdrain system to handle future house connection problems along Cranbrook Drive; to provide completely new driveway aprons to each resident along Cranbrook Drive; and to totally reconstruct Huntington Drive east of Cranbrook Drive. These additional items added approximately \$200,000 to the original estimated cost of the project.

Subject: Engineer's Records and Plans Copying

Comment: All of the Village plans and records produced by Euthenics, Inc. through December 31, 2013 have been reproduced and copies stored at the Village Service Department at 199 Ledge Road.

Subject: Study for Signal Modification at Northfield Road and Sagamore Road

Comment: As I indicated at the January 14, 2015 Council meeting, ODOT will not approve putting a lead left turn traffic signal movement for northbound to westbound traffic at the Sagamore Road and S.R. 8 intersection.

Subject: Third CEI Transformer Move

Comment: The third CEI transformer is scheduled to be moved along Ledge Road and Northfield Road on Tuesday, February 17, 2015. Today, the video photographer and I walked and photographed the entire length of Ledge Road and Northfield Road within the Village. We will also photograph the road during the transformer move next Tuesday to verify any damage that may be done to these roads by the transformer vehicle.

THE VILLAGE OF NORTHFIELD

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HAROLD JASON WALTERS, SERVICE/BUILDING DEPARTMENT SUPERINTENDENT

February 11, 2015 Council meeting: Service, Building and Zoning Department report:

1. **Snow/Ice Removal** – The last snow storm we had really kept us busy. We had no real issues to talk about other than taking out one mailbox at 25 Magnolia. We did replace it as we did hit it with a plow. It was a Step 2 mailbox we had it replaced by the days end. The Department work very hard to keep our streets at least passable. Many time no sooner we get a street plowed before we are done with the next the street is covered again. I truly appreciate the effort from the guys to get the job done.
2. **State Rt 8 (Northfield Rd.) Snow Removal** - I received some complaints on the conditions of Rt8 during the storms. I am sure Council and Mayor may have as well. While I do agree that at times Rt.8 is heavily covered in snow There is nothing the Village can do about it. ODOT does the best they can to maintain Rt.8 and at times they are just stuck on our Interstates and Turnpike but they get to us asap. In Northeast Ohio we just have to be as patient as possible and know that crews are doing the best they can.
3. **Senior Driveways-** In last months report we had 127 Senior driveways. We now have 139 Seniors in the program. All and all this program is going well the biggest issue is where to put the snow.
4. **Sidewalk Snow Removal-** For the 20 years I have worked for the Village Sidewalk Snow removal has been a topic of conversation. We do have a Village Ordinance (660.05) requiring property owners to keep sidewalks free of Ice and Snow. I have attached a copy of this ordinance to my report. The Village has tried several times to remedy this issue. We have cited owners and even tried to maintain the sidewalks in house until it was brought up that we do have the ordinance mandating property owners to maintain sidewalks themselves. The issue has been that businesses and owners have had lawyers address us saying if they attempt to keep the sidewalks free of ice or snow and someone falls it could open themselves up to lawsuit. Also with the very heavy snow that comes

from Northfield Road along with the snow fall is becomes a never ending battle. How often do they have to clean the sidewalks? When do we cite them. Another issue is that some of the businesses and property owners say they just can not afford it. Another is how and where to put the snow.

Something we realized when the Village bought a snow blower years back. We cant blow the snow in the street we have to be very careful blowing inwards towards the parking lots because cars being park near the sidewalk the cars can be damaged. The Sidewalks do have uneven areas that cause issue with snow blowers and plows as the snowblower can not pass over easily and plows snag and could cause damage to the equipment or sidewalk.

Mayor Neehez and I have had several conversations about this matter. He and I both figured that this issue has been discussed so much over the years that leaving it be might be best but he wanted me to look into equipment that may help us remedy this issue in house.

Then Last week Councilman Vojtush called me and said he had taken calls and he wanted to give me a heads up about it. I explained this all to him and he seemed to understand but did feel we should at least maintain the areas in front of our properties especially Ledge road being the Kids walk to school. This too has been brought up over the years if we maintain our section and others dont it creates more issue until we are forced to enforce it.

Mayor felt that we should at least try to get our area of the Ledge Road Sidewalk cleaned. The Mayor then purchased a John Deer Snow Blower and donated it to The Service Department. We were able to get Ledge sidewalk passable at least along our property. However that Snowblower is tough as it is and it is commercial equipment would not work on Northfield Road sidewalks. So my question is what would Council like to see done about this?

Thank you,

Harold J. Walters

HJW;lmr

welfare, are exempt from divisions (a) and (b) above and from any ordinances, resolutions, rules, or other enactments of the Municipality that prohibit excessive noise.
(ORC 3767.13)

(r) Whoever violates this section is guilty of a misdemeanor of the third degree.
(ORC 3767.99(C))

660.05 DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN.

(a) No owner or occupant of lots or lands abutting any sidewalk shall fail to keep the sidewalks in repair and free from snow, ice or any nuisance, and to remove from such sidewalks all snow and ice accumulated thereon. Failure to maintain sidewalks may result in the Municipality undertaking such repairs or remedies and charging the cost of the same back to the property owner or occupant, including placing the cost of said repairs onto the tax duplicate for collection, if necessary. In addition, in the event that the Municipality is called upon to make a payment to anyone as a result of any condition related to a sidewalk, the Municipality will look to the adjoining, abutting or appropriate landowner or occupant for contribution and indemnity.

(Ord. 2003-09. Passed 4-9-03.)

(b) Whoever violates this section is guilty of a minor misdemeanor.

660.06 ABANDONED REFRIGERATORS AND AIRTIGHT CONTAINERS.

(a) No person shall abandon, discard, or knowingly permit to remain on premises under the person's control, in a place accessible to children, any abandoned or discarded icebox, refrigerator, or other airtight or semi-airtight container which has a capacity of one and one-half cubic feet or more and an opening of 50 square inches or more and which has a door or lid equipped with a hinge, latch, or other fastening device capable of securing such door or lid, without rendering the equipment harmless to human life by removing such hinges, latches or other hardware which may cause a person to be confined therein. This section shall not apply to an icebox, refrigerator or other airtight or semi-airtight container located in that part of a building occupied by a dealer, warehouse or repairer.

(ORC 3767.29)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree.
(ORC 3767.99(B))

660.07 STORAGE OF JUNK VEHICLES.

(a) (1) For purposes of this section, "junk motor vehicle" means any motor vehicle which is three years old or older; extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor, or transmission; apparently inoperable; and having a fair market value of one thousand five hundred dollars (\$1,500.00) or less, that is left uncovered in the open on private property for more than 72 hours with the permission of

finance director, which all came from Mayor Nehez. Gary stated that he feels he isn't being allowed to do his job as a councilperson.

Mayor Nehez stated that he is allowed to have his own opinion.

NEW BUSINESS; Linda Bowen said that next Wednesday they will be having a block watch meeting 6pm at Village Hall, with light refreshments.

Lisa Rodriguez reminded everyone that tomorrow evening Jim Szabo of the Nordon School Board was having an open house from 7p-9p at Village Council Chambers. Nick stated that was what Mr. Lanese spoke with Jason about, and he will stop in to speak with him about the children from Vincent coming to Filly Ln to get on the bus. Jason said that years ago when they redid Vincent, the Village paid for a double concrete drive right at Ruth Kotila's house so the bus could back in to turn around with no problem, it is the school who decided to stop going down that street. Nick stated that is a legitimate complaint, but he will speak with Mr. Szabo concerning this.


Mayor Nehez said that he isn't going to put up with side politics in this town and will fight back. He said they know who these people are and know their agenda, and he won't let Council take the brunt of this and won't let anyone look bad. Council President Beatrice Greenlee stated that they won't let the Council meetings to be used for politicking. Mayor Nehez stated they are only trying to move forward in this town and they can't continue to have these knock downs, and he said everyone knows who they are.

ANNOUNCEMENTS;

ADJOURNMENT -

A motion for adjournment at 8:34p.m. was made by Gary Vojtush and seconded by Ethan Miladinovic passed with 6 ayes.

Respectfully submitted by:



Beatrice Greenlee
President of Council

Attest:



Lisa M. Rodriguez
Clerk of Council